



canada • colombia • europe • iraqi kurdistan  
palestine • united states

christian peacemaker teams

building partnerships to transform  
violence and oppression

## Statement on the Sentencing of Badal Barwari and Omed Barushky

Today Badal Barwari and Omed Barushky were sentenced to 1 year in prison, accused of encouraging people to join violent demonstrations and charged under Article 222 of the Iraqi Penal Code (Law No.111 of 1969). They received time served and Badal is expected to be released on November 26. Omed will continue to be imprisoned for other charges related to Article 2 of Law No 6 (2008) to Prevent the Misuse of Telecommunications Equipment.

In court Omed, Badal and their lawyers raised serious concerns and human rights violations in how the investigation and trial has been conducted.

Omed denied all accusations made in court today. He spoke about how after his arrest he was brought to Asaish prison and beaten by 20 people, including being hit at the back of his head with rifle butts. He was kept in a cell with 130 prisoners that was only made for 30 people and being threatened during the investigation process.

Badal has lost 41kg since his arrest. He spoke openly about organising demonstrations for teachers and pointed out that he has not committed any crime. He requested that he be able to bring witnesses to show his innocence. The Judges did not allow the lawyer for the defence to call on any witnesses or play a voice recording in defence of Badal.

Their lawyers raised the issues of not being allowed to meet with their clients before the first trial, of Asaish being present at the only meeting they had with their client, and being present in the courtroom. They complained that the investigation happened without the presence of a lawyer and that their clients were forced to open their mobile phones. They said they were not given a list of accusations or charges, despite numerous requests to the court and Security Council. In their final statement they pointed to the lack of evidence and stated that even the rocks and trees in Badinan stood witness to these men's innocence.

We heard no evidence that Badal Barwary and Omed Brushky in any way incited violence or were part of planning violent protests. The evidence that the security council brought to the court of voice messages exchanged between Badal and Sherwan Sherwani proved that Badal was only interested in organising peaceful protests advocating for human rights in Iraqi Kurdistan.

Today the Erbil criminal court took an important step in re-establishing people's trust in the Justice System when they refused the prosecution's request for Badal Barwari and Omed Barushky to be charged with Article 156 of the Iraqi Penal Code (Law No.111 of 1969, as amended by Law No.21 (2003)). We hope that the Courts continue to show their independence from political parties and the trials of the other Badinan Prisoners are conducted fairly and justly according to the rule of law. As the lawyers rightly pointed out, it is not illegal to participate in or organise peaceful demonstrations in Iraqi Kurdistan.

CPT stands in solidarity with the Badinan Prisoners and their families calling for the courts to take further steps to ensure that Freedom of Expression is safeguarded in Iraqi Kurdistan.